

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Robert Turner Debtor

CHAPTER 13

U.S. ROF III Legal Title Trust 2015-1, by U.S. Bank
National Association, as Legal Title Trustee
Movant

vs.

NO. 17-15761 JKF

Robert Turner Debtor

Blondell G. Turner Co-Debtor

Frederick L. Reigle Esq. Trustee

11 U.S.C. Sections 362 and 1301

**MOTION OF U.S. ROF III Legal Title Trust 2015-1,
by U.S. Bank National Association, as Legal Title Trustee
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362 AND THE CO-DEBTOR STAY UNDER SECTION 1301**

1. Movant is U.S. ROF III Legal Title Trust 2015-1, by U.S. Bank National Association, as Legal Title Trustee.

2. Debtor Robert Turner and Co-Debtor Blondell G. Turner are the owners of the premises 2632 Lamott Avenue, Willow Grove, PA 19090, hereinafter referred to as the mortgaged premises.

3. Movant is the holder of a mortgage, original principal amount of \$222,500.00 on the mortgaged premises that was executed on March 9, 2007. Said mortgage was recorded on March 28, 2007 at Book 12068, Page 00166 The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on January 24, 2017, at Book 14286, Page 01420 in Montgomery County. Documentation attached hereto as Exhibit A is provided in support of right to seek a lift of stay and foreclose if necessary.

4. Frederick L. Reigle Esq., is the Trustee appointed by the Court.

5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor.

6. Debtor and Co-Debtor have failed to make the monthly post-petition mortgage payments in the amount of \$1,660.44 for the months of February 2018 through June 2018.

7. The total amount necessary to reinstate the loan post-petition, less suspense balance of \$10.00 is \$8,292.20.

8. Debtor is currently delinquent in plan payments to the Chapter 13 Trustee in the amount of \$1,420.00.

9. Movant is entitled to relief from stay for cause.

10. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Rebecca A. Solarz, Esquire

Rebecca A. Solarz, Esquire

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